

IN THE UNITED STATES DISTRICT COURT
OF NEW MEXICO

Barbara Andersen)	
Plaintiff)	Case 20-cv- 00553-JFR
v.)	
Forrest Fenn; Unknown Defendant)	

**MOTION TO WITHDRAW (A) MOTION TO ISSUE SUBPOENA TO DAL
NEITZEL[DKT 40] AND (B) MOTION TO PUBLISH DKT ENTRIES 34-36 AND 41
[DKT 44]**

Barbara Andersen, as her own attorney, hereby files this motion to withdraw her pending motion to subpoena Dal Neitzel and, further, her motion to publish Docket entries by “Kathryn” at Dkts 34-36 and 41. In support of the motion, Andersen states:

1. Last week, Andersen filed a motion to subpoena Dal Neitzel, another blog owner. Prior to same, Andersen had asked this blog owner to preserve his web/blog site. The site was deleted last night; this date was moved up from December 27th to December 25th. Given that the deletion is now complete, there is no need to issue a subpoena prior to Andersen’s amending the complaint given that its threatened deletion is now complete; Andersen will subpoena same after amending the complaint to see what remains from this blog owner. Andersen e-mailed this blog owner and asked for preservation of materials/documents and to consult with Fenn’s litigation counsel prior to deleting his site.¹

2. In the process, Andersen was also harassed by a woman called “KPro” (now known as Kristie Ogilvie) on her youtube and blog and another woman by the name of Candy Irvine. (Irvine is now blocked from Andersen’s e-mail.) In addition to ingratiating herself to the Onion/spoof “Finder”, Ogilvie shockingly applauded the deletion of the DalNeitzel site on her blog (a) as an obstacle to Andersen and this litigation and (b) despite the fact that Dal Neitzel’s

¹ Andersen spent most of Christmas Eve and day copying and pasting blog materials from DalNeitzel’s website.

conduct obviously raises potential spoliation of evidence concerns (which no professional person would/should ever applaud).

3. Ogilvie's website also mocked Andersen's request to publish Docket entries 34-36 and 41 on her website "Hint of Riches" even though Andersen's request to publish was because she now believes that these are spoof e-mails by "Team Forrest [Fenn]" that should not be protected prior to being stricken from the record.

4. Given that Andersen has already seen dockets 34-36 and 41, Andersen moves to withdraw her motion in response to the multi-day harassment by the above persons over the Christmas holiday/last week. Andersen has no objection to this Court publishing Dkts. 34-36 and 41 on its own motion in light of Andersen's representations/beliefs expressed in Dkts. 44.

5. Andersen will be filing her motion to amend the Complaint against the "Finder" in a few days. She did not expect to be forced to deal with the above, additional games over the Christmas holiday.

Wherefore, Andersen respectfully requests that this Court (a) withdraw the motion to subpoena Dal Neitzel prior to amending the complaint given that the issue is moot and (b) withdraw her request to publish Dkts. 34-36 and 41.

Respectfully submitted:

/s/ Barbara Andersen

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CERTIFICATE OF SERVICE

Barbara Andersen hereby certifies that on December 26, 2020 the **MOTION TO WITHDRAW MOTIONS FOUND AT DKT 40 and 44** was filed and delivered via the ECF filing system to:

Service list:

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/s/Barbara Andersen

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